

# Appendix 1

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID FLOYD, *et al.*,

Plaintiffs,

-against-

CITY OF NEW YORK,

Defendant.

KELTON DAVIS, *et al.*,

Plaintiffs,

-against-

CITY OF NEW YORK,

Defendant.

JAENEAN LIGON, *et al.*,

Plaintiffs,

-against-

CITY OF NEW YORK,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: \_\_\_\_\_

08 Civ. 1034 (AT)

10 Civ. 699 (AT)

12 Civ. 2274 (AT)

**ORDER**

On October 11, 2018, this Court entered an order (the “Confidentiality Order”) designating as confidential all information that is shared between the participants in the remedial process in these matters. *Floyd v. City of New York*, 08-cv-1034 (AT), ECF No. 650, at 2-4 (Oct. 11, 2018). Paragraph 8 of the Confidentiality Order requires parties that seek to submit confidential information to this Court to give the other participants notice of the information at issue and an opportunity to move this Court for an order requiring that the information be filed under seal. *Id.* at 6.

Plaintiffs notified the Monitor that they would like to file certain information that is confidential under the Confidentiality Order (the “Confidential Information”) with a motion that they intend to submit on March 25, 2021. On March 24, 2021, the Monitor publicly filed a

motion for an order requiring Plaintiffs to file the Confidential Information under seal. He also filed under seal a letter further explaining why that order is appropriate, along with exhibits identifying the Confidential Information for this Court's review, in conformity with practice IV.A.ii. of this Court's Individual Practices in Civil Cases.

This Court has conducted an "individualized review" of the Confidential Information. *Brown v. Maxwell*, 929 F.3d 41, 51 (2d Cir. 2019). For the reasons provided in the Monitor's letter that was filed under seal on March 24, 2021, this Court has concluded that the "privacy interests" in support of sealing each and every piece of Confidential Information outweigh the "presumption of public access." *Id.* Accordingly, it is hereby ORDERED that:

1. If Plaintiffs seek to file the Confidential Information, in whole or in part, they must file it under seal.
2. Plaintiffs may not file any information that is confidential under the Confidentiality Order other than the Confidential Information, except by following the process described in paragraph 8 of the Confidentiality Order for that information.

SO ORDERED.

Dated: \_\_\_, 2021  
New York, New York

---

ANALISA TORRES  
United States District Judge